

DEC 17 2004

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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
TRUMAN A. HERRON 1935-1978  
EDWARD B. EVANS 1936-1971

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December 17, 2004

## FACSIMILE COVER SHEET

To: Examiner Joseph D. Manoskey  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

Fax: 703-872-9306

Enclosures:

Fax Cover Sheet containing Certificate of  
Facsimile Transmission (1 page)  
Request for Continued Examination  
(RCE) (1 page)  
Transmittal containing Certificate of  
Facsimile Transmission (2 pages)  
Amendment and Response (8 pages)

From: Douglas A. Scholer  
Reg. No. 52,197

Re: U.S. Patent Application  
Serial No. 09/932,140  
Filed: August 17, 2001  
Applicant: Bakke et al  
Art Unit: 2113  
Confirmation No.: 5139  
Our Ref: IBM 178

Pages: 12 (including cover sheet)

MESSAGE/COMMENTS  
OFFICIAL

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and the enclosures noted herein (12 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Joseph D. Manoskey, Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 703-872-9306 on December 17, 2004.

Elisabeth O'Brien  
Elisabeth O'Brien

12.17.2004  
Date

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**PATENT**

Att'y Docket No. IBM/178/262

Confirmation No. 5139

**CERTIFICATE OF FACSIMILE TRANSMISSION**

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Elisabeth O'Brien 12-17-2004  
 Elisabeth O'Brien Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Brian Eric Bakke et al Art Unit: 2113  
 Serial No.: 09/932,140 Examiner: Joseph D. Manoskey  
 Filed : August 17, 2001  
 For : METHOD AND APPARATUS FOR PROVIDING REDUNDANT ACCESS TO  
 A SHARED RESOURCE WITH A SHAREABLE SPARE ADAPTER

Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. ☒ Transmitted herewith is Request for Continued Examination (RCE).
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.  
☐ Enclosed is a verified statement to establish Small Entity status  
☒ Other than a Small Entity
3. The fee has been calculated as shown below:

**CALCULATION OF FEES**

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	30	minus	30	0	\$50	\$0.00
Independent Claims	3	minus	3	0	\$200	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$360	\$0.00
TOTAL FEE FOR CLAIMS:						\$0.00

- ☒ No additional fee for claims is required.

Page 1 of 2  
 Serial No. 09/932,140  
 Transmittal for Amendment of December 17, 2004  
 IBM Docket: ROC920000284US1  
 WH&E IBM/178

4. ☐ Attached is a check in the sum of \$\_\_\_\_\_ for additional claims.  
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.

5. **The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.**

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$ 225.00
<input type="checkbox"/>	three months	\$1,020.00	\$ 510.00
<input type="checkbox"/>	four months	\$1,590.00	\$ 795.00
<input type="checkbox"/>	five months	\$2,160.00	\$1,080.00

Extension fee due with this request:

\$\_\_\_\_\_

Method of Payment:

Check enclosed in the amount of \$\_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_\_.

**OR**

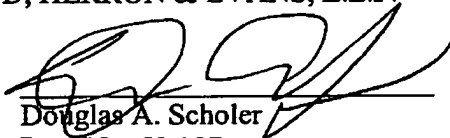
- ☒ (b) **Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.**

6. ☒ **If any additional fee for claims or extension of time is required, charge Account No. 23-3000.**

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:

  
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